

REMARKS

In view of the Request for Continued Examination being filed herewith, and in view of the foregoing amendments and following remarks, reevaluation and reconsideration of the application is requested.

Applicant acknowledges with appreciation the Examiner's indication that claims 30, 31, 33 and 35 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. In this regard, independent claim 19 has been amended to include the limitation of claim 30. In turn, claim 31 has been cancelled and claims 33 and 35 have been amended to depend from claim 19. Thus, claims 19, 25, 26, 33 and 35-39 define a first claim set, with independent claim 19 reciting that the stable anode comprises a monolithic body (from claim 19) entirely composed of Fe_3O_4 and FeO (from allowable claim 30).

To capture the invention of allowable claim 31, new independent claim 40 has been added and corresponds with allowable claim 31. In particular, claims 19 and 31 have been combined such that new claim 40 recites that the stable anode comprises a monolithic body (from claim 19) entirely composed of Fe_2O_3 and FeO (from allowable claim 31). New dependent claims 41-48 have been added and correspond to dependent claims 25, 26, 33 and 35-39 of the first claim set, respectively.

Applicant also includes with this Amendment and Response a Request for Continued Examination and additional documents for consideration as provided on the enclosed PTO Form 1449. In accordance with 37 C.F.R. § 1.98(a)(2), a copy of each document or other information listed on the enclosed Form 1449 is provided, unless previously submitted. No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended. Consideration of the listed items is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication

In light of the above remarks, it is believed that the application is now in condition for allowance, and such action is respectfully requested. If the Examiner believes that it would be helpful to discuss any of the amendments or remarks presented herein, the Examiner is invited to contact the undersigned at the telephone number provided below.

Respectfully submitted,

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Date:

February 9, 2007

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